THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 1261 of 1998

Date: 18.04.2007

Between:

Ch. Sriramulu

… Petitioner

AND

A.P. State Electricity Board,
rep., by its Member Secretary,
Vidyut Soudha, Somajiguda,
Hyderabad & others.

… Respondents

Counsel for the petitioner : Sri S. Udayachala Rao

Counsel for the respondents: Sri P.R. Balarami Reddy

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WRIT PETITION No. 1261 of 1998

ORDER:-

This writ petition is filed questioning the Memo No.DP/DM.V/219/R.2/95-2 dated 06.10.1995 issued by the Member Secretary of the erstwhile Andhra Pradesh State Electricity Board whereunder punishment of censure and treating the petitioner's absence from duty from 01.07.1994 FN to 23.12.1994 AN as Dies Non were imposed.

At the hearing, it is submitted by Sri P.R. Balarami Reddy, learned counsel for the respondents, that the petitioner filed appeal on 23.12.1995 against the orders impugned in this writ petition and that the said appeal was dismissed on 09.04.1996. This writ petition, therefore, cannot be adjudicated on merits for two reasons viz., (i) the petitioner filed this writ petition availing a parallel remedy in spite of pending the appeal filed by him against the same order, which is impugned in this writ petition, and (ii) the appeal having already been dismissed on 09.04.1996.

For the aforementioned reasons, without going into the merits of the case, the writ petition is dismissed. No costs.

However, liberty is given to the petitioner to question the

order dated 09.04.1996 by availing appropriate remedy.

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C.V.NAGARJUNA REDDY, J

Date: 18.04.2007
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